

March 26, 2008

TO: Members of the MAG Regional Council

FROM: Mayor James M. Cavanaugh, Goodyear, Chair

SUBJECT: **REVISED MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA**

Meeting - 5:00 p.m.

Wednesday, March 26, 2008

MAG Office, Suite 200 - Saguaro Room

302 North 1st Avenue, Phoenix

Dinner - 6:30 p.m.

MAG Office, Suite 200

The next Regional Council meeting will be held at the MAG offices at the time and place noted above. Members of the Regional Council may attend either in person, by videoconference or by telephone conference call. Members who wish to remove any items from the Consent Agenda are requested to contact the MAG office. MAG will host a dinner/reception for the Regional Council members following the meeting in the MAG Cholla Room on the 2nd floor. Supporting information is enclosed for your review.

The action for agenda item #5B was changed to clarify the motion as it relates to the MAG Highway Acceleration Policy.

Please park in the garage underneath the building. Parking places will be reserved for Regional Council members on the first and second levels of the garage. Bring your ticket to the meeting, parking will be validated. For those using transit, the Regional Public Transportation Authority will provide transit tickets for your trip. For those using bicycles, please lock your bicycle in the bike rack in the garage.

Pursuant to Title II of the Americans with Disabilities Act (ADA), MAG does not discriminate on the basis of disability in admissions to or participation in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

If you have any questions, please call the MAG office.

c: MAG Management Committee

**MAG REGIONAL COUNCIL
REVISED TENTATIVE AGENDA
March 26, 2008**

		<u>COUNCIL ACTION REQUESTED</u>
1.	<u>Call to Order</u>	
2.	<u>Pledge of Allegiance</u>	
3.	<u>Call to the Audience</u> An opportunity will be provided to members of the public to address the Regional Council on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Regional Council requests an exception to this limit. Please note that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.	3. Information.
4.	<u>Executive Director's Report</u> The MAG Executive Director will provide a report to the Regional Council on activities of general interest.	4. Information and discussion.
5.	<u>Approval of Consent Agenda</u> Council members may request that an item be removed from the consent agenda. Prior to action on the consent agenda, members of the audience will be provided an opportunity to comment on consent items. Consent items are marked with an asterisk (*).	5. Approval of the Consent Agenda.

ITEMS PROPOSED FOR CONSENT*

MINUTES

*5A. <u>Approval of the February 27, 2008 Meeting Minutes</u>	5A. Review and approval of the February 27, 2008 meeting minutes.
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TRANSPORTATION ITEMS***5B. Request to Accelerate the Union Hills/Loop 101 Traffic Interchange Widening**

The City of Peoria is interested in accelerating the widening of the Union Hills Traffic Interchange (TI) bridge at the Loop 101 which is currently scheduled for construction by the Arizona Department of Transportation (ADOT) in FY 2012. An arterial street project to construct a Beardsley Road Connector with the Loop 101 is scheduled for construction in the fall of 2008. Given the proximity of the Beardsley Road Connector project to the Union Hills TI significant cost and convenience benefits accrue if both projects are constructed at the same time. ADOT concurs with the request to accelerate the Union Hills TI widening project. To facilitate the advancement of the Union Hills TI, Peoria has requested a HELP loan of \$9.91 million to finance the acceleration. The ADOT Life Cycle Freeway Program has this project programmed for \$18 million so substantial cost savings are expected. Peoria has requested that the interest expense be shared in accordance with the MAG Highway Acceleration Policy. The Management Committee recommended approval. Please refer to the enclosed material.

***5C. Section 5310 Elderly and Individuals with Disabilities Transportation Program Applications**

On February 29, 2008, the MAG FTA Elderly and Persons with Disabilities Transportation Program Ad Hoc Committee developed a priority listing for the applications received for Federal Transit Administration (FTA) Section 5310 funding. FTA provides these funds to the Arizona Department of Transportation (ADOT) for capital assistance to agencies and public bodies that provide transportation services for people who are elderly and for people who have a disability. This year, 20 applications were submitted for capital assistance awards. Forty-five van requests, two radio requests, one software request, and three mobility manager requests were received and considered by the Committee. The Management

5B. Approval of the proposed acceleration of the Union Hills Traffic Interchange widening project contingent on MAG entering into the IGA with ADOT and the City of Peoria, and an amendment to the FY 2008 - FY 2012 Transportation Improvement Program and conformity determination.

5C. Approval to forward the priority listing of applicants for FTA Elderly and Persons with Disabilities Transportation Program to the Arizona Department of Transportation.

Committee recommended forwarding the priority listing to ADOT. Please refer to the enclosed material.

GENERAL ITEMS

- *5D. Status Update on the June 30, 2007 Single Audit and Management Letter Comments, MAG's Comprehensive Annual Financial Report (CAFR) and OMB Circular A-133 Reports (i.e., "Single Audit") for the Fiscal Year Ended June 30, 2007

The accounting firm of Cronstrom, Osuch and Company, PC has completed the audit of MAG's Comprehensive Annual Financial Report (CAFR) and Single Audit for the fiscal year ended June 30, 2007. An unqualified audit opinion was issued on January 12, 2008 on the financial statements of governmental activities, the aggregate discretely presented component units, each major fund and the aggregate remaining fund information. The independent auditors' report on compliance with the requirements applicable to major federal award programs, expressed an unqualified opinion on the Single Audit. The Single Audit report indicated there were no reportable conditions in MAG's internal control over financial reporting considered to be material weaknesses, no instances of noncompliance considered to be material and no questioned costs. The Single Audit report had no new or repeat findings. Two Management Letter comments were issued for the fiscal year ended June 30, 2007 and these are described with the management resolution by MAG in the attached memorandum. The CAFR financial statements and related footnotes were prepared in accordance with the Government Finance Officers Association's (GFOA) standards for the Certificate of Achievement for Excellence in Financial Reporting awards program. Management intends to submit the June 30, 2007 CAFR to the GFOA awards program for review. If awarded the certificate for the June 30, 2007 CAFR, this would be the agency's tenth consecutive award. The MAG Management Committee recommended acceptance. Please refer to the enclosed material.

- 5D. Acceptance of the MAG Comprehensive Annual Financial Report and Single Audit Report for the year ended June 30, 2007.

*5E. Development of the FY 2009 MAG Unified Planning Work Program and Annual Budget

Each year, the MAG Unified Planning Work Program and Annual Budget is developed incrementally in conjunction with member agency and public input. The Work Program is reviewed each year by the federal agencies and approved by the Regional Council in May. This presentation and review of the draft FY 2009 MAG Unified Planning Work Program and Annual Budget represents the budget document development to-date. The elements of the budget document are about 80 percent complete. Please refer to the enclosed material.

*5F. MAG 208 Water Quality Management Plan Amendment for the City of Goodyear Sonoran Valley Planning Area

The City of Goodyear has requested that MAG amend the 208 Water Quality Management Plan to include four water reclamation facilities (WRFs) for the Sonoran Valley Planning Area. The ultimate capacities for the State Land WRF and Southern Region WRF would be 4.75 million gallons per day (mgd) and 24 mgd, respectively. The Section 23 WRF and Section 28 WRF would each have an ultimate capacity limited to 0.6 mgd. Reclaimed water from the four facilities would be disposed of through reuse, recharge, and Arizona Pollutant Discharge Elimination System Permit discharge points to the Waterman Wash. The project is located within three miles of the City of Avondale, Town of Buckeye, City of Maricopa, the Gila River Indian Community, and unincorporated Maricopa and Pinal Counties. To date, five of the six entities have indicated no objections. The public hearing on the draft amendment was conducted on February 13, 2008. The MAG Water Quality Advisory Committee and the MAG Management Committee recommended approval of the Draft 208 Plan Amendment. Please refer to the enclosed material.

5E. Information.

5F. Approval of the MAG 208 Water Quality Management Plan Amendment for the City of Goodyear Sonoran Valley Planning Area.

ITEMS PROPOSED TO BE HEARD
GENERAL ITEMS6. Regional Office Center Update

At the March 17, 2008, Regional Council Executive Committee meeting, the Committee discussed the status of the Regional Office Center Project and the actions of the Valley Metro Rail (METRO) Board and the Regional Public Transportation Authority (RPTA) that had transpired since the February Executive Committee meeting.

At the February 19, 2008, Regional Council Executive Committee meeting, the Committee recommended the Amended and Restated Memorandum of Cooperation (MOC) without further changes, and authorized the MAG Executive Director to enter into a preconstruction services contract with McCarthy Building Companies contingent upon approval of the Amended and Restated MOC by the other agency boards. Since that time, the METRO Board provided a conditional approval of the preconstruction services contract, and the RPTA Board approved the preconstruction services contract by a vote of 7 to 6.

After discussing the actions that had transpired since the February Executive Committee, the Executive Committee recommended the following: 1) Terminate the terms of the Memorandum of Cooperation (MOC) for the Regional Office Center with the RPTA and METRO based on METRO's action to not accept the amended and restated MOC without further changes, and 2) Direct MAG staff to inform McCarthy Building Companies that negotiations regarding the Regional Office Center are suspended until further notice from MAG. The Committee also directed MAG staff to explore other options for MAG office space and present that information at a future meeting. Please refer to the enclosed material.

6. Approval to 1) Terminate the terms of the Memorandum of Cooperation (MOC) for the Regional Office Center with the RPTA and METRO based on METRO's action to not accept the amended and restated MOC without further changes, and 2) Direct MAG staff to inform McCarthy Building Companies that negotiations regarding the Regional Office Center are suspended until further notice from MAG.

7. Legislative Update

An update will be provided on legislative issues of interest. Please refer to the enclosed material.

8. Comments from the Council

An opportunity will be provided for Regional Council members to present a brief summary of current events. The Regional Council is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

7. Information, discussion and possible action.

8. Information.